


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Gayland Mower,	:	
	:	
Plaintiff	:	Civil Action 2:10-cv-810
	:	
v.	:	Judge Sargus
	:	
Caterpillar, Inc., <i>et al.</i> ,	:	Magistrate Judge Abel
	:	
Defendants.	:	

ORDER OF DISMISSAL

On August 26, 2011, Plaintiff filed a "Notice of Voluntary Dismissal" (Doc. 19), stating that he wished to dismiss this action with prejudice. This document was not compliant with the requirement of Fed. R. Civ. P. 41(a)(1)(A)(ii) that a stipulation of dismissal be signed by "all parties who have appeared", as it was signed only by Plaintiff's counsel.

The Court takes this document to be a motion pursuant to Fed. R. Civ. P. 41(a)(2) for leave to voluntarily dismiss the action. The motion is further **GRANTED**. This matter is **DISMISSED WITH PREJUDICE**.

s/  9-13-2011
United States District Judge